

**Clariant Corporation
Business Unit Electronic Materials
Industrial Property Department
70 Meister Avenu
Somerville, NJ 08876
908-429-3563
Fax: 908-429-3650**



Fax

To: Rosemary Ashton **From:** Vivian Austin
Fax: 703-305-6076
Date: April 18, 2001 **Pages:** 4 Including Cover Sheet
Re: 1997/A006 09/237,125

Urgent **For Review** **Please Comment** **Please Reply** **Please Recycle**

Dear Examiner Ashton,

Please see the attached response to an Office Action dated January 30, 2001.

Sincerely,

Vivian Austin



The information contained in this facsimile may be confidential, and is intended only for the use of the individual(s) or entity(ies) named above. If the reader of this message is not the intended recipient, please be advised that any use, dissemination, or duplication of this communication is strictly prohibited. If this communication has been received in error, please contact the sender (call collect) and we will arrange to reimburse you for the return of this facsimile to us by return mail. Thank you for your cooperation.

Attorney's Docket Number: 1997/A006

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of: Padmanaban et al.

Serial No.: 09/237,125

Group Art Unit: 1752

Filed: 01/30/99

Examiner: R. Ashton

For: COMPOSITION FOR ANTI-REFLECTIVE COATING OR RADIATION ABSORBING
COATING AND COMPOUNDS USED IN THE COMPOSITION

Assistant Commissioner for Patents
Washington, D.C. 20231

8/1

REPLY TO OFFICE ACTION UNDER 37 CFR 1.111

Sir:

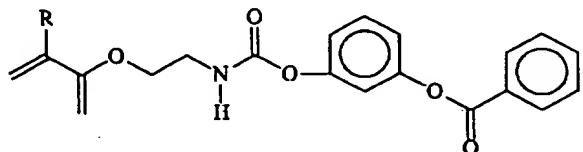
This response is submitted in response to the Official Action dated January 30, 2001. Reconsideration of the application is respectfully requested.

Claim Rejections under 35 U.S.C. §102

DeBergalis

The Examiner has rejected claims 1 under 35 U.S.C. 102(b) as being anticipated by U.S. Patent No.4,636,431, issued January 13, 1987, to inventor DeBergalis. [hereinafter "DeBergalis"].

The Examiner has cited DeBergalis for allegedly teaching a radiation sensitive composition comprising a compound represented by the formula



where R is H or methyl (Column 6, compound 10 of DeBergalis).

09/237,125
Page 2

The Examiner indicated that in the amendment filed October 27, 2000, Applicants deleted formula I directed to the monomer, however, upon further consideration of the polymer, formula II, she maintained the rejection over this reference because the polymer of formula II allegedly reads on the monomer when n, p, q, and m are zero and o is greater than zero, and that when o is 1, the polymer is the monomer. Applicants respectfully disagree with the position taken by the Examiner and traverse this rejection.

The Examiner's attention is directed to the fact that claim 1 is directed to a polymer of General Formula II. The condition of m, n, p, q, all being zero, and o being 1 is excluded from the scope of claim 1 because under these conditions one would have a monomer and not a polymer. Furthermore, the structure of a monomer with the polymerizable vinyl ($\text{CH}=\text{CH}_2$) group does not appear in General Formula II. Therefore, the monomer of General Formula I is completely excluded from the structure of Formula II of claim 1. Furthermore, because claim 1 is directed to a polymer, it would be inherent and understood by a person of ordinary skill in the art, that the condition that the sum of m, n, o, p, and q is greater than 1 in General Formula II be maintained for a polymer. Therefore, for a polymer, the condition of m, n, p, q, all being zero, and o being 1 is not possible. Similar arguments would apply to other independent claims 15, 17, and 21. Therefore the rejection of claim 1 as being anticipated by DeBergalis should be withdrawn.

Remarks

In a telephonic interview with the Examiner on 4/24/01, the following issues were also discussed with the Examiner: 1) That the pending claims were 1-31, and not 1-27 (new claims 28-31 were added in the amendment filed 10/27/2000). The Examiner indicated that the new claims had not been entered but agreed to enter them. 2) That the Fahey reference (SPIE, 2195 (1994), pp. 422-446) should be made of record. The Examiner indicated that although this reference had been crossed out in form PTO-1449, it was cited in form PTO-892, and as such was of record.

09/237,125
Page 3

CONCLUSION

The above is believed to be a complete response to the Official Action dated January 30, 2001. The issuance of a Notice of Allowance for all of the claims is respectfully requested. If minor issues remain to be resolved, a telephone call to the undersigned is suggested.

Respectfully submitted,

Krishna G. Banerjee
Krishna G. Banerjee, Ph.D.
Reg. No. 43,317
Attorney for Applicants
Telephone: 908-595-3890

I hereby certify that this paper is being facsimile
transmitted to the US Patent and Trademark
Office on April 25, 2001

Vivian Austin
Name Vivian Austin April 25, 2001
Signature Date